



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
IN RE AMERICAN REALTY CAPITAL
PROPERTIES, INC. LITIG..

SCHEDULING ORDER

1:15-mc-00040 (AKH)

----- X
JOANNE WITCHKO, Derivatively on Behalf of
Nominal Defendant AMERICAN REALTY
CAPITAL PROPERTIES, INC.,

Plaintiff

vs.

NICHOLAS S. SCHORSCH, et al.

Defendants
----- X

Lead Case No. 15-cv-6043 (AKH)

Consolidated with Case No.
15-cv-8563 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

The oral arguments previously scheduled for May 12, 2016 are adjourned to June 1, 2016, at 2:30 P.M. The Court will hear arguments on defendants' motions to dismiss the Second Amended Complaint in the class action, followed immediately by arguments to dismiss the Complaint in the derivative case.

SO ORDERED.

Dated: May 10, 2016
New York, New York

ALVIN K. HELLERSTEIN
United States District Judge